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May 19, 2003

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**BOX CPA**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application of: **Hideaki TADA, Mikio KONISHI and Daikichi FUKUSHIMA**  
Title: "NOVEL POLYPEPTIDES, DNAs ENCODING THE SAME AND USE THEREOF"  
Assignee: **ONO PHARMACEUTICAL CO., LTD.**  
Our Ref: **Q55589**

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. §1.53(d) (Continued Prosecution Application (CPA)) of pending prior Application No. 09/380,276 (Confirmation No. 2406) filed on August 27, 1999, of **Hideaki TADA, Mikio KONISHI and Daikichi FUKUSHIMA** entitled "NOVEL POLYPEPTIDES, DNAs ENCODING THE SAME AND USE THEREOF"; which is a 371 of PCT/JP98/00799, filed February 26, 1998.

This application is being filed under 37 C.F.R. §1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 U.S.C. §122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 1646.

A Preliminary Amendment is being submitted herewith.

The power of attorney appears in the original papers of the prior application.

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
Japan	P. Hei. 9-43143	February 27, 1997

The priority document was received from the International Bureau in Parent Application No. 09/380,276.

A Petition for Three-month Extension of Time, along with payment of the appropriate fee, is being filed concurrently herewith in Patent Application No. 09/380,276.

05/20/2003 WABDELRI 00000066 09380276

01 FC:1006	750.00 OP
02 FC:1201	168.00 OP
03 FC:1202	36.00 OP
04 FC:1203	280.00 OP



CPA of USSN 09/380,276  
May 19, 2003

Q55589

The Government filing fee is calculated as follows:

Total claims	<u>22</u>	-	20	=	<u>2</u>	x	\$18.00	=	<u>\$36.00</u>
Independent claims	<u>5</u>	-	3	=	<u>2</u>	x	\$84.00	=	<u>\$168.00</u>
Base Fee									<u>\$750.00</u>
Multiple Dependent Claim Fee									<u>\$280.00</u>

**TOTAL FILING FEE**

**\$1234.00**

A check for the statutory fee of \$1,234.00 is attached. The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

The application is timely filed.

Respectfully submitted,  
**SUGHRUE MION, PLLC**

Drew Hissong  
Registration No. 44,765

WASHINGTON OFFICE



**23373**

PATENT TRADEMARK OFFICE